

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

FILED IN COURT
ASHEVILLE, NC

JAN 02 2020

DOCKET NO. 1:19CR71

U.S. DISTRICT COURT
W. DISTRICT OF N.C.

UNITED STATES OF AMERICA

v.

AUSTIN LEE HEROLD

)
)
) **CONSENT ORDER AND**
) **JUDGMENT OF FORFEITURE**
)
)

WHEREAS, the defendant, AUSTIN LEE HEROLD, has voluntarily pleaded guilty pursuant to Fed. R. Crim. P. 11 to one or more criminal offenses under which forfeiture may be ordered;


WHEREAS, the defendant and the United States stipulate and agree that the property described below constitutes property derived from or traceable to proceeds of the defendant's offense(s) herein; property involved in the offenses, or any property traceable to such property; and/or property used in any manner to facilitate the commission of such offense(s); or substitute property as defined by 21 U.S.C. § 853(p) and Fed. R. Crim. P. 32.2(e); and is therefore subject to forfeiture pursuant to 18 U.S.C. § 2253, provided, however, that such forfeiture is subject to any and all third party claims and interests, pending final adjudication herein; the defendant waives his interest, if any, in the property and agrees to the forfeiture of such interest;

WHEREAS, the defendant herein waives the requirements of Fed. R. Crim. P. 32.2 regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment against defendant;

WHEREAS, pursuant to Fed. R. Crim. P. 32.2(b)(1) & (c)(2), the Court finds that there is the requisite nexus between the property and the offense(s) to which the defendant has pleaded guilty and that the defendant has a legal or possessory interest in the property;

have clear title to the property and shall dispose of the property according to law. Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A), the defendant consents that this order shall be final as to defendant upon filing.

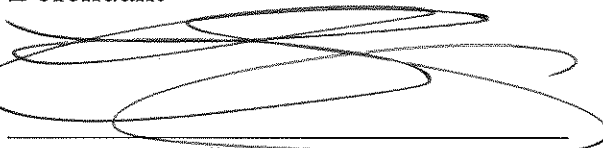
SO AGREED:



BENJAMIN BAIN-CREED
Assistant United States Attorney




AUSTIN LEE HEROLD
Defendant



FREDILYN SISON
Attorney for Defendant

Signed: January 2, 2020



MARTIN REIDINGER
United States District Judge
Western District of North Carolina